vss

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
SUMMARY SUIT NO.1741 OF 2005

Chandrakant Lalasaheb Nimbalkar ... Plaintiff

V/s.

Subhash Jagannath Shirsath ... Defendant

Mr.S.R. Gupta for Plaintiff

CORAM: **SMT.NISHITA MHATRE, J.**

DATED: **MARCH 6, 2006**

P.C.:

. The Suit is filed to recover the amount due in respect of a loan advanced by the Plaintiff to the Defendants as acknowledged by the Defendant vide his writing dated 2.4.2002.

2. There is no affidavit in reply nor is there any defence to the suit.

3. The plaintiff has filed a compilation of the original documents, which are taken on record and marked as 'Exhibit A' collectively. The plaintiff has also filed an affidavit of service, which is taken on record and marked 'Exhibit B'.

4. The documents establish that an amount of Rs.2,40,000/- was loaned by the Plaintiff to the Defendant and that the Defendant had paid an amount of

Rs.50,000/-. The Defendant has agreed to pay the balance @ 21% per annum. There is no material on record to negate the case made out by the Plaintiff in the plaint.

5. In the circumstances, the Suit is decreed as prayed for.

6. Refund of Court fee as per Rules.